

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY 5:15 P.M. JUNE 13, 1995

PRESENT:

Jim Shaw, Chairman  
Steve Bradhurst, Vice Chairman  
Joanne Bond, Commissioner  
Mike Mouliot, Commissioner  
Grant Sims, Commissioner

Judi Bailey, County Clerk  
John MacIntyre, County Manager  
Madelyn Shipman, Legal Counsel

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 E. Ninth Street, Reno, Nevada. Following the pledge of allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Bradhurst, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that the agenda for the June 13, 1995 meeting be approved.

PUBLIC COMMENTS

Bill Seidler, Incline Village resident, read a statement requesting that the Board direct the various Washoe County departments to keep track of all funds budgeted for Incline Village in order for the Board to have information regarding the cost of services and revenues for Incline Village; and that the information of services provided by the District Attorney's office also be provided.

MINUTES

On motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Shaw ordered that the minutes of the meetings of May 9, 15 and 16, 1995 be approved.

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95-442 WORK CARD PERMIT APPEAL - GUY LEWIS HILL

This appeal was considered on Monday, JUNE 12, 1995, at 1:30 P.M., prior to the Caucus meeting, the Board having convened, with Chairman Shaw absent and all other members of the Board present and Vice Chairman Bradhurst presiding, to consider the appeal of GUY LEWIS HILL from the recommendation of the Sheriff's office to deny his work permit application as a security guard at Burns International Security.

On motion by Commissioner Mouliot, seconded by Commissioner Bond, which motion duly carried, the Board convened in closed personnel session to hear testimony as to why the work card should be granted. The appellant was present to offer testimony during the closed personnel session as was Debi Williams, Records Section of the Sheriff's office. The Board then reconvened in open session wherein the following action was taken.

On motion by Commissioner Mouliot, seconded by Commissioner Sims, which motion duly carried, it was ordered that the denial recommendation of the Sheriff's office be denied contingent on a positive F.B.I. investigation report.

95-443 MANUFACTURER'S LICENSE - ELDORADO HOTEL AND CASINO BREW PUB - DEVELOPMENT REVIEW

Upon recommendation of Carla Fells, Business License Compliance Officer, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Shaw ordered that the Manufacturer's License to operate a brew pub within the Eldorado Hotel and Casino be approved.

95-444 AWARD OF CONSTRUCTION BID - GOLDEN VALLEY WELL DEEPENING AND NEW WELL CONSTRUCTION - UTILITY

This was the time to consider award of construction bid, Notice to Contractors for receipt of sealed proposals having been published in the Reno Gazette-Journal on April 25, May 3, 11, 16, and 25, 1995 for Golden Valley Well Deepening and New Well Construction. Proof was made that due and legal Notice to Bidders had been given.

The following bids were received:

Engineer's Estimate	\$52,565.00
CONTRACTOR	BID
Nevada Drilling, Inc.	\$44,875.80
Humboldt Drilling and Pump	\$58,369.35
Welsco Corp.	\$78,862.00

Upon recommendation of John Collins, Chief Sanitary Engineer, through Craig McConnell, Public Works Director, on motion by Commissioner Mouliot, seconded by Commissioner Bradhurst, which motion duly carried, it was ordered that the bid for Golden Valley Well Deepening and New Well Construction be awarded to the lowest responsible, responsive bidder, Nevada Drilling, Inc. in the amount of \$44,875.80 and Chairman Shaw be authorized to execute the contract documents upon their receipt.

It was further ordered that the Chief Sanitary Engineer be authorized to issue the Notice to Proceed.

95-445 AWARD OF CONSTRUCTION BID - FIRST, SECOND, THIRD AND WOODS CREEKS WATER QUALITY IMPROVEMENT PROJECT, INCLINE VILLAGE - ENGINEERING

This was the time to consider award of construction bid, Notice to Contractors for receipt of sealed proposals having been published in the Reno Gazette-Journal on May 4, 11, 18 and 25, 1995, for First, Second, Third and Woods Creeks Water Quality Improvement Project, Incline Village, Nevada. Proof was made that due and legal Notice to Bidders had been given.

The following bids were received:

CONTRACTOR	BID
Q D Construction, Inc.	\$597,743.83
Burdick Excavating Co., Inc.	\$613,549.50
Joe Suter Construction Co., Inc.	\$830,964.80

John MacIntyre, County Manager, reviewed background information and advised that the District Attorney's Office has responded to questions raised by the attorney for one of the bidding companies regarding preferential bidders status for in-state bidders, and have concluded that Q D construction still remains the low responsive and responsible bidder, based on a very thorough review of the documentation submitted.

Upon inquiry of Chairman Shaw, Legal Counsel Madelyn Shipman advised that the information was forwarded to Burdick Excavating Company and Q D Construction, Inc.; and that Burdick Excavating indicated that the facts represented by the District Attorney support the decision, but they continue to dispute that the facts are correct.

Upon recommendation of Kimble Corbridge, Engineering Division, through Craig McConnell, Public Works Director, on motion by Commissioner Mouliot, seconded by Commissioner Sims, which motion duly carried, it was ordered that the bid for First, Second, Third and Woods Creeks Water Quality Improvement Project, Incline Village, Nevada be awarded to the lowest responsible, responsive bidder, Q D Construction, Inc. in the amount of \$597,743.83 and Chairman Shaw be authorized to execute the contract documents upon their receipt.

95-446 AWARD OF CONSTRUCTION BID - KIDS KOTTAGE II PROJECT - PUBLIC WORKS

This was the time to consider award of construction bid, Notice to Contractors for receipt of sealed bids having been published in the Reno Gazette-Journal on May 1 and 8, 1995, for Kids Kottage II. Proof was made that due and legal Notice to Bidders had been given.

The following bids were received:

CONTRACTOR	BID
T. L. Miller Construction	\$1,080,103.00
Denny Frook Construction	\$1,165,000.00
West Coast Contractors	\$1,193,100.00
Callanan - St. John Company	\$1,198,000.00
United Construction	\$1,200,000.00
Christman Construction	\$1,211,173.00
F. Evans Construction	\$1,225,750.00

John MacIntyre, County Manager, reviewed background information and responded to issues brought forth at yesterday's caucus regarding this item.

Upon recommendation of Floyd Vice, Project Manager, through Craig McConnell, Public Works Director, on motion by Commissioner Bradhurst, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the bid for construction of Kids Kottage II be awarded to the low responsive, responsible bidder, T. L. Miller Construction Co., Inc., in the amount of \$1,080,103 and Chairman Shaw be authorized to execute the contract when presented.

It was further ordered that the Finance Division be authorized to finalize the financing for the project.

95-447 RESOLUTION - INTERFUND LOAN FROM GENERAL FUND (001) TO PUBLIC WORKS CONSTRUCTION FUND (092) - FINANCE

John MacIntyre, County Manager, reviewed background information and advised that discussion was held on this item at yesterday's caucus.

Following discussion, upon recommendation of Jerry McKnight, Finance Division, on motion by Commissioner Bradhurst, seconded by Commissioner Bond, which motion duly carried, it was ordered that the interfund loan in an amount not to exceed \$1,400,000 to be transferred as needed from the General Fund (001) to Public Works Construction Fund (092) for construction of Kids Kottage II be approved, and the following Resolution be adopted and Chairman Shaw be authorized to execute:

RESOLUTION-AUTHORIZING INTERFUND LOAN - GENERAL FUND (001) TO PUBLIC WORKS CONSTRUCTION FUND (092)

WHEREAS, the General Fund of the County (Fund 001) has sufficient cash resources to finance a short-term interfund loan in an amount not to exceed \$1,400,000; and

WHEREAS, the Public Works Construction Fund (Fund 092) was established to account for capital projects; and

WHEREAS, the Public Works Construction Fund has been designated as the fund to account for the design and construction of the Kids Kottage II project and the fund is in need of a short-term cash loan to cover interim financing requirements associated with the completion of the building.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE IN THE STATE OF NEVADA:

Section 1. The County Comptroller is hereby directed to transfer in amounts as needed, up to \$1,400,000 from the General Fund (001) to the Public Works Construction Fund (092) to cover construction costs.

Section 2. The cash interfund transaction for this loan is as follows:

	Debit Amount	Credit Amount
General Fund		
Due from Public Works Const. Fund		
(Acct. 001-0000-1392)		\$1,400,000.00
Cash		
(Acct. 001-0000-1001)	\$1,400,000.00	
Public Works Construction Fund		
Cash		
(Acct. 092-0000-1001)	\$1,400,000.00	
Due to General Fund		
(Acct. 092-0000-2601)		\$1,400,000.00

Section 3. There is adequate appropriation authority within the Public Works Construction Fund

Section 4. The term of this interfund loan shall be twelve calendar months, commencing on June 02, 1995, to be repaid within that term.

Section 5. There shall be no interest on this interfund loan.

Section 6. This Resolution shall be effective on passage and approval.

Section 7. The County Clerk is hereby directed to distribute copies of the Resolution to the Department of Taxation, the Comptroller and the Finance Division within 30 days.

95-448 PAYMENT OF COSTS RELATED TO HALLELUJAH FIRE - TRANSFER FROM CONTINGENCY - FINANCE

John MacIntyre, County Manager, reviewed background information regarding this item. Ann Ward, Truckee Meadows Fire Protection District, responded to questions of the Board.

Upon recommendation of Jerry McKnight, Finance Division, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Shaw ordered that the payment of the County's share of costs related to the Hallelujah Fire in the amount of \$74,379.66 be approved and the following transfer of appropriations be authorized:

Decrease Account	Amount	Increase Account	Amount
General Fund Transfer			
General Fund Debt		Fire Suppression	
001-1885-8145	\$22,386.66	001-1880-7398	\$74,379.66
Contingency			
001-1890-7328	\$51,993.00		
<b>TOTAL</b>	<b>\$74,379.66</b>	<b>TOTAL</b>	<b>\$74,379.66</b>

95-449 APPROVAL OF BUDGETS PROPOSED BY STATE OF NEVADA ENGINEER - HONEY LAKE VALLEY, LEMMON VALLEY, TRUCKEE MEADOWS/SUN VALLEY, WARM SPRINGS VALLEY, PLEASANT VALLEY AND COLD SPRINGS VALLEY GROUNDWATER BASINS - FINANCE

Upon recommendation of Jerry McKnight, Finance Division, on motion by Commissioner Bradhurst, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that the budgets proposed by the State of Nevada Engineer for payment of necessary expenses over the waters of Honey Lake Valley, Lemmon Valley, Truckee Meadows/Sun Valley, Warm Springs Valley, Pleasant Valley, and Cold Springs Valley Groundwater Basins be approved as follows:

Honey Lake Valley	\$ 5,065.19
Lemmon, Cold Springs and Pleasant Valleys	\$12,000.00
Truckee Meadows/Sun Valley	\$15,000.00
Warm Springs Valley	\$ 3,500.59

It was further ordered that the County Clerk be directed to attest the certifications and submit them to the State Engineer with copies to the Treasurer's Office and the Finance Division; and that the Treasurer be directed to bill the property owners at the rates designated by the State Engineer.

95-450 DONATION TO AMBASSADOR PRODUCTIONS (REVEREND DON BUTLER) - STATE OF NEVADA DRUG SEIZURE FUNDS - SHERIFF

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Mouliot, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that the donation of \$1,500 of State of Nevada drug seizure funds to Ambassador Productions (Reverend Don Butler) for the purpose of Ambassador Productions conducting educational and recreational anti-drug and anti-gang events targeting at-risk youth throughout the summer months be approved.

95-451 ACCEPTANCE OF GRANT - DEPARTMENT OF MOTOR VEHICLES AND PUBLIC SAFETY - SHERIFF

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Shaw ordered that the Department of Motor Vehicles and Public Safety grant to purchase an Omnichrome Spectrum 9000 Alternate Light Source be approved and the following account transactions be authorized:

Increase Revenues	15257G-4301	\$13,125.00
Increase Expenditure	15257G-7825	\$13,125.00

It was noted that the matching funds in the amount of \$4,375 will come out of the Sheriff's capital outlay account.

95-452 CAPITAL IMPROVEMENT PROJECT - ADDITIONAL INMATE HOUSING - SHERIFF

John MacIntyre, County Manager, advised that at yesterday's caucus meeting there was an extensive workshop discussion relative to the need for additional inmate housing. He provided an aerial photograph of the detention complex, which was not placed into the record, and discussed issues regarding the need to expand the jail to address the increasing inmate population. He stated that funding in the amount of \$550,000 was approved for the 1995/96 fiscal year for jail expansion, but that this amount is not sufficient to address the immediate need; and that resolution of this issue will require a team effort of several County departments.

Upon inquiry of Commissioner Bradhurst, Craig McConnell, Director, Department of Public Works, stated that General Services and the Public Works Departments have been involved in the process and understand that this is a high priority proposal; that project generation has benefited from excellent organization by the Sheriff's staff; and that he attended a meeting with the architects with respect to the proposed structure and believes the project is well thought out and is being approached properly.

Richard Kirkland, Sheriff, provided additional information and advised that they are offering inmate Commissary funds for assistance in building their own facilities, which is supported by Nevada statutes; and that this morning there were 907 inmates and this number is projected to increase significantly. He provided written information, which was not placed on file with the Clerk, in response to written comments submitted by the Public Defender, and advised that his questions have been answered and they have offered to meet with him and his staff to resolve any issues that may exist. Sheriff Kirkland reviewed current and future housing needs and advised that the request today is approval for construction of the first additional housing unit to be located between housing units four and five and to be built within the next 90 days.

Commissioner Sims stated that he supports whatever is necessary to address the inmate population problem and commended the Sheriff and his staff for their efforts in this regard. A discussion commenced relative to funding options and personnel needs and costs. Commissioner Sims suggested that a long-term comprehensive funding package addressing jail expansion be developed and presented to the Board as soon as possible.

Commissioner Bradhurst commented that approval of the construction of the proposed structure would not indicate authority to add personnel beyond that already authorized; and that he hopes efforts expended over the next few months may reduce projected personnel needs. He then suggested that a workshop be scheduled with the criminal justice community to discuss the Positive Production Program, which was discussed during yesterday's workshop; and that Sheriff's staff continue to work with General Services and Public Works staff and provide a report to the Board setting forth proposed sites for the needed additional housing units. Sheriff Kirkland responded that they will present that information and advised that an outside architectural firm was previously hired using Inmate Commissary funds, and it is felt by the various departments that a good assessment has already been made.

Following further discussion, on motion by Commissioner Bradhurst, seconded by Commissioner Mouliot, Chairman Shaw ordered that the Sheriff be authorized to go to bid for construction of one structure to be located between housing units four and five as follows:

Cost Estimate

1 sprung structure 50' x 120' with completed concrete work, finishing costs, and ancillary expenses \$350,000.00

Site development work including earth work, utility extension, and any compact fees \$100,000.00

TOTAL \$450,000.00

It was further ordered that the Sheriff coordinate a meeting between the Board and appropriate criminal justice community representatives to discuss the Positive Production Program; that the Sheriff work with General Services and Public Works Departments with regard to the proposed site plan for the Positive Production facility or additional housing; and that Finance

staff review financing options for additional housing units and report back to the Board in a timely manner.

It was further ordered that staff be authorized to proceed with the permitting process when additional structure sites are identified; and that Personnel be directed to look at methods to reform and streamline hiring procedures and improve the management of personnel.

It was noted that the site work costs for the project are still being projected by engineers and architects, but that there is consensus that it is feasible to complete the process for the estimated \$100,000 cost; and that the first expansion structure is anticipated to be completed within the existing \$550,000 budget.

#### 95-453 CAPITAL EXPENDITURE - FORENSIC LIGHT SOURCE - SHERIFF

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Shaw ordered that the capital expenditure to purchase one ALS 5000 Forensic Light Source in the amount of \$3,100 for the Sheriff's office be approved.

#### 95-454 CAPITAL EXPENDITURE - LEICA STEREOMICROSCOPE - SHERIFF

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Shaw ordered that the capital expenditure to purchase one Leica Stereomicroscope in the amount of \$5,200 for the Sheriff's Office be approved.

#### 95-455 CAPITAL EXPENDITURE - BDL FIRING SYSTEM EXPLOSIVE ORDINANCE DISPOSAL SUIT - SHERIFF

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Shaw ordered that the following capital expenditures for the Sheriff's Office be approved:

1. BDL Firing System RS68 to include two each RX68-10 O/P receivers, one each TX68-12 Transmitter, and one each CX68-1 Battery Charger for the amount of \$3,880, for a total cost of system in the amount of \$11,640.
2. Safeco EOD 2000 Explosive Ordinance Disposal Suit with communications system and cooling system for the amount of \$3,834, for a total cost of suit and accessories in the amount of \$11,500.

It was noted that the items will be used by the Consolidated Bomb Squad consisting of personnel from the Sheriff's Office, Reno Police Department, and Sparks Police Department; that the three entities will share the expense of the items; and that the fiscal impact on the Sheriff's budget will come out of the Capital Outlay budget in the amount of \$7,714.

#### 95-456 INTERLOCAL COOPERATIVE AGREEMENT - MAJOR ROAD MAINTENANCE PROJECTS - PUBLIC WORKS

John MacIntyre, County Manager, reviewed background information and provided additional information prepared by Derek Morse, Regional Transportation Commission, as requested by Commissioner Mouliot at yesterday's caucus meeting.

Derek Morse, Engineering Manager, Regional Transportation Commission, provided further information and responded to questions of the Board.

Commissioner Mouliot stated that he believes road building standards based on need rather than traffic counts would result in cost savings. Mr. Morse commented that RTC is governed by the minimum standards set by Washoe County, Reno, and Sparks; that this is an issue that has been discussed with the County's Public Works Department; and that RTC would have no objection to the County adopting different standards.

Following further discussion, upon recommendation of Derek Morse, Engineering Manager, Regional Transportation Commission, on

motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the Interlocal Cooperative Agreement between Washoe County, the City Council of Reno, City Council of Sparks, and the Regional Transportation Commission for Major Maintenance Projects be approved and Chairman Shaw be authorized to execute.

95-457 AGREEMENT - CAMP WE-CHE-ME WATER STORAGE TANK DESIGN - GALENA FOREST ESTATES PUMP STATION AND WATER TRANSMISSION MAIN - UTILITY

John MacIntyre, County Manager, provided background information and advised that discussion was held on this item at yesterday's caucus meeting.

John Collins, Chief Sanitary Engineer, provided additional information and responded to questions of the Board.

Upon recommendation of John Collins, Chief Sanitary Engineer, through Craig McConnell, Public Works Director, on motion by Commissioner Sims, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the Agreement between Washoe County and Waterresource Consulting Engineers, Inc. for Consulting Engineering Services for design of Camp We-Che-Me Water Storage Tank, Galena Forest Estates Pump Station, in an amount not to exceed \$75,600, be approved, and Chairman Shaw be authorized to execute.

95-458 DRAFT AGREEMENTS - WATER MANAGEMENT PLANNING AND RETAIL WATER SERVICE AREAS - SIERRA PACIFIC POWER COMPANY - COMPREHENSIVE PLANNING

Bob Webb, Comprehensive Planning, reviewed background information and advised that the Board has been provided a copy of SB489 regarding water management planning. He stated that County staff has been working with Sierra Pacific Power Company (SPPCo) to reach agreement on two areas, water planning and future service areas, and two separate agreements are being presented today; that Sierra Pacific is firm that any agreement with the County on planning roles must include future water service area and views that the two agreements are linked; that there is consensus by both County and Sierra staffs relative to planning roles, but there is not consensus regarding future water service. He advised that there are two concepts which have been proposed regarding a retail water service area agreement, one based on SPPCo being the future single water purveyor with all new customers going to them, and the other defining geographical service areas and the continued operation of the County as a retail water purveyor. Mr. Webb then introduced Steve Walker, new County Water Management Planner.

John Enloe, Supervisor of Water Planning, SPPCo, stated that the County and Sierra have been negotiating in good faith to provide the framework for integration and consolidation of the water systems and developing an agreement and legislation to bring these issues together. He stated that Sierra strongly believes that the service area proposal which establishes that new customers within the region shall be retail customers of SPPCo, represents a significant commitment on both Sierra's and the County's part towards accomplishing mutually stated goals of regional water planning paired with the single purveyor water service; that, while there are many issues and details that need to be worked out with respect to these proposals, they believe the procedural service territory concept is superior to the geographic concept as the geographic boundary would do little to achieve the single purveyor concept they are striving for and would perpetuate the present situation of both the County and Sierra working to protect the interests of their own constituents rather than looking out for the interest of the region as a whole; and that their position is that the planning agreement, on which there is consensus, is tied to an acceptable service territory arrangement.

John Collins, Chief Sanitary Engineer, stated that the Utility Division recommends that the Board proceed cautiously with regard to the service area issue, noting that under either proposal, the Utility Division and South Truckee Meadows GID will still be in operation to serve existing customers, and the economic viability of the remaining utility operation and its customers needs to be protected. He stated that neither the County nor Sierra was able to obtain the objective they sought which was the purchase of the County water system and now a different set of rules exist; that if a service territory is agreed to, it would not give the County much future negotiating room and also, the fact that the legislation may not pass should be considered; and that the County has outstanding agreements with Developers, some of which would be located in Sierra's proposed service area, and Sierra has not yet indicated how those agreements would be handled; that the proposed legislation would be the most appropriate way to reduce the competition, which provides that a Water Planning Commission be formed that would address service areas; and that linking the

service area agreement and the legislation is inappropriate.

A lengthy discussion commenced regarding the issue of linkage and Mike Reed, Sierra Pacific Power Company, commented that every legislative draft has contained language that provides linkage. Commissioner Bradhurst stated that in every discussion he has made the point that he did not want linkage.

Further discussion was held and this item was continued to later in the meeting to allow the opportunity for Sam McMullen, Lobbyist, to address some of the issues brought forth.

Later in the meeting, Mr. Reed explained that his discussion relative to linkage was not related to acquisition, but rather to previous documents relative to concerns regarding the elimination of the competitive relationship; that the language of concern contained in the legislative draft was developed as a means to assure that any agreement entered into with Washoe County now would be binding on future Boards; and that Sierra Pacific is not saying they will not sign an agreement without this language.

Commissioner Bradhurst reviewed discussions held at previous Board meetings and stated that he had no knowledge of the added language and this latest draft was just recently presented to him.

Mr. McMullen explained that Section 51 of the draft legislation deals with the contingency of knowing that an agreement would be voluntarily entered into, and was an attempt to make sure that everybody's interests found its way into the Bill; that it was never intended to mean that somebody is forced to do something before an agreement would be reached; and that what they attempted do was say that all participants are independent and would be working towards the best interest of their constituency, and noted that it appears that the issue is already close to being decided and there would be no need for this provision.

Commissioner Bradhurst stated that Section 51 needs to be deleted from the Bill draft immediately because of the inference that nothing happens unless there is an agreement; and that he agrees there needs to be closure on the service area issue but feels the legislation addresses that issue.

Commissioner Shaw and Sims concurred that Section 51 should be deleted.

Commissioner Sims reviewed Section 15 of the draft and stated that his understanding is that a regional plan for water management developed by a regional Water Planning Commission would define service areas and would be driven by good planning.

Following further discussion, Commissioner Bradhurst moved, seconded by Commissioner Bond, that the Water Management Planning Roles of Washoe County and Sierra Pacific Power Company, as outlined in attachment 1 of the agenda memorandum dated June 8, 1995, be approved in concept; that the recommendation of the Utility Division that water service area be based on geographic area (north of La Posada and South of Zolezzi), as outlined in attachment 3 of the agenda memorandum dated June 8, 1995, and subject to the outstanding development agreements being honored, be approved in concept, with the understanding that these boundaries may be changed over time; and that the District Attorney's Office place the material in attachments 1 and 3 into a memorandum of agreement to be signed by both the Board of County Commissioners and Sierra Pacific Power Company.

Tim Tucker, area resident and Spanish Springs developer, advised that the previous owner of their property installed the water system that serves the Countryside Development north of La Posada and is planned to also serve south of La Posada; that this represents a significant asset and they would like to expand the system south of La Posada; and that they are concerned this asset may be lost with the division by geographic area. He requested that the Board take this into consideration when defining service areas.

Mr. Collins responded that the County has a number of agreements already in place and Sierra Pacific has been advised that those existing agreements would need to be honored.

Commissioner Sims stated that the service area issue will be very important for the legislation to pass and he would prefer that all options be thoroughly studied and would not want to preclude looking at Sierra's proposal and how the existing GID's and water

companies would be impacted.

Commissioner Bradhurst stated that he feels something of substance needs to be on the table to eliminate section 51 from the draft legislation, and this action would represent a starting point; and that if other options are out there, they would be brought before the Board for review.

Mr. Reed commented that Section 51 has caused a great deal of concern and rightfully so; that the first time he saw section 51 was yesterday morning and feels that it needs to be removed; that he agrees with Commissioner Sims that the service area issue should be subject to the Water Planning Commission study and suggested that the Board might adopt an interim policy with the idea that the issue will be finally resolved through the Water Planning Commission process.

Upon inquiry of Commissioner Sims, Mr. Collins stated that staff feels that defining service areas geographically, subject to outstanding development agreements, would provide for interim or long term needs. He noted that the County and Sierra have developed a good working relationship, which means a lot to the community and needs to be pursued.

Mr. Reed commented that this has been a difficult process and there are issues that still need to be resolved, and they are committed to maintaining a working relationship with the County and moving forward with the planning process.

On call for the question, the motion carried with Commissioner Sims voting "no."

95-459 ABANDONMENT CASE NO. AB3-3-95 - GORDON M. COWAN (APN: 17-400-34)

7:00 p.m. This was the time set in a Notice of Public Hearing mailed by certified mail to abutting property owners on June 1, 1995, and published in the Reno Gazette-Journal on June 2, 1995, to consider the recommendation of the Washoe County Planning Commission to conditionally approve Abandonment Case No. AB3-3-95 as requested by Gordon M. Cowan to abandon an access easement ranging in width from 51.59 to 25 feet following the west and south property line of a +8.80 acre parcel in a portion of Chance Lane and Ox-Yoke Lane created by Parcel Map No. 2002, designated General Rural in the South Valleys Area Plan and situated in a portion of Section 4, T17N, R20E, MDM, Washoe County, Nevada. Proof was made that due and legal Notice had been given.

Bob Katai, Department of Development Review, advised that some property owners to the south of the proposed abandonment have expressed concerns regarding the abandonment, and the applicant and surrounding property owners have jointly requested that this item be continued.

Chairman Shaw opened the public hearing and called on those wishing to speak and there was no response.

On motion by Commissioner Bradhurst, seconded by Commissioner Mouliot, which motion duly carried, Chairman Shaw ordered that Abandonment Case No. AB3-3-95 be continued.

95-460 ABANDONMENT CASE NO. AB3-4-95 - ENRIQUE MARTINEZ (APN: 85-740-20)

7:00 p.m. This was the time set in a Notice of Public Hearing mailed by certified mail to abutting property owners on June 1, 1995, and published in the Reno Gazette-Journal on June 2, 1995, to consider the recommendation of the Washoe County Planning Commission to approve conditionally Abandonment Case No. AB3-4-95 as requested by Enrique Martinez to abandon a 20-foot by +384-foot access and public utility easement following the west property line of a +.56-acre parcel, located at 369 West 4th Street, designated Medium Density Suburban in the Sun Valley Area Plan, and situated in a portion of Section 19, T20N, R20E, MDM, Washoe County, Nevada. Proof was made that due and legal Notice had been given.

Bob Katai, Department of Development Review, reviewed background information regarding this item.

The Chairman opened the public hearing and called on those wishing to speak. There being no response, the hearing was closed.

It being the consensus of the Board that NRS 278.840 is being complied with and that the abandonment of the private easement described in the aforesaid Notice appears to be in the best interest of the public and that no person would be materially injured thereby, on motion by Commissioner Bond, seconded by Commissioner Bradhurst, which motion duly carried, Chairman Shaw ordered that Abandonment Case No. AB3-4-95 be approved subject to the following conditions:

1. Prior to recordation of the Order of Abandonment, the applicant shall submit legal descriptions to the County Engineer for review and approval. The legal descriptions shall be prepared by a registered professional and shall be for the area of abandonment, the portion of the abandonment reverting to each abutting property owner, and any required replacement easements.
2. Retention of all public utility easements or relocation of all public utility easements to the satisfaction of and at no expense to Washoe County or the existing public utilities which originally accepted and approved said easements as well as any other public utilities now in existence which currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of the new easements to said public utilities and the relinquishment by said public utilities of their former easements.
3. The applicant shall comply with all conditions necessary to effect the Order of Abandonment within two years from the date of the action by the Board of County Commissioners or this conditional abandonment will be null and void.

It was further ordered that upon execution and recordation of the Orders of Abandonment voted herein, the Engineer's Office is authorized to prepare a plat incorporating the changes in question and to duly record same.

95-461 ABANDONMENT CASE NO. AB3-5-95 - CLAUDINE ST. AVALOS (APN: 506-050-13, 14, 15 AND 16)

7:00 p.m. This was the time set in a Notice of Public Hearing mailed by certified mail to abutting property owners on June 1, 1995, and published in the Reno Gazette-Journal on June 2, 1995, to consider the recommendation of the Washoe County Planning Commission to conditionally approve Abandonment Case No. AB3-5-95 as requested by Claudine St. Avalos to abandon a 117-foot by 20-foot access easement within Parcel A of Parcel Map No. 225 and replace with an easement between Parcels B and C of the same parcel map, located at 5880, 5882, and 5884 Leon Drive, and 215 Blanco Circle, designated Medium Density Suburban in the Sun Valley Area Plan, and situated in a portion of Section 18, T20N, R20E, MDM, Washoe County, Nevada. Proof was made that due and legal Notice had been given.

Bob Katai, Department of Development Review, reviewed background information regarding this item.

The Chairman opened the public hearing and called on those wishing to speak. There being no response, the hearing was closed.

It being the consensus of the Board that NRS 278.840 is being complied with and that the abandonment of the private easement described in the aforesaid Notice appears to be in the best interest of the public and that no person would be materially injured thereby, on motion by Commissioner Bond, seconded by Commissioner Sims, which motion duly carried, Chairman Shaw ordered that Abandonment Case No. AB3-5-95 be approved subject to the following conditions:

1. Prior to recordation of the Order of Abandonment, the applicant shall submit legal descriptions to the County Engineer for review and approval. The legal descriptions shall be prepared by a registered professional and shall be for the area of abandonment, the portion of the abandonment reverting to each abutting property owner, and any required replacement easements.
2. Retention of all public utility easements or relocation of all public utility easements to the satisfaction of and at no expense to Washoe County or the existing public utilities which originally accepted and approved said easements as well as any other public utilities now in existence which currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of the new easements to said public utilities and the relinquishment by said public utilities of their former easements.
3. The applicant shall comply with all conditions necessary to effect the Order of Abandonment within two years from the date of

the action by the Board of County Commissioners or this conditional abandonment will be null and void.

4. The applicant shall construct a driveway in the proposed access easement including access to Leon Drive in accordance with Washoe County standards.

5. A drainage easement over Parcel A shall be granted Parcels C and D to the satisfaction of the Engineering Division.

It was further ordered that upon execution and recordation of the orders of abandonment voted herein, the Engineer's Office is authorized to prepare a plat incorporating the changes in question and to duly record same.

95-462 COMPREHENSIVE PLAN AMENDMENT CPA94-SS-1 - SUN VALLEY/SPANISH SPRINGS INTERTIE - COMPREHENSIVE PLANNING

7:00 p.m. This was the time set for continuation of the Public Hearing [Item No. 95-355] to consider the recommendation of the Washoe County Planning Commission to amend the Sun Valley and Spanish Springs Area Plans, being part of the Washoe County Comprehensive Plan, by adding a new east-west minor arterial from the current terminus of Sun Valley Boulevard in Sun Valley to connect with Pyramid Lake Highway at or near the proposed extension of Sparks Boulevard in Spanish Springs. The amendment will also modify the northern terminus of the minor arterial shown on the Spanish Springs Streets and Highways Plan Map by replacing the east-west portion with a northerly extension to Eagle Canyon Drive. The request also involves an amendment to any corresponding text in the Sun Valley and Spanish Springs Area Plans regarding the proposed alignment modifications.

Cynthia Albright, Department of Comprehensive Planning, provided background information and reviewed the proposed amendment for the Sun Valley/Spanish Springs Intertie. She displayed maps of the subject area and stated that one year ago the Board authorized staff to initiate the comprehensive plan amendment with implicit direction to identify a cost-effective route that enhances traffic movement and minimizes impacts to the existing neighborhoods; that RTC and staff feel the proposed east-west intertie accomplishes this objective and the Sun Valley and Spanish Springs Citizen Advisory Boards support the intertie for public safety reasons; and that the Truckee Meadows Fire Protection District, Washoe County School District, and County Engineering have written letters of support of an east-west route that connects the northern valleys, citing that that fire and emergency medical services would be greatly enhanced, school busing expenses should be reduced, and the air quality could be improved by reducing vehicular miles traveled. She further advised that Lifestyle Homes has agreed to pay for construction of the alignment in exchange for credit for their Interim Transportation Fee Collection Program fees.

Chairman Shaw opened the public hearing and called on those wishing to speak.

Craig Thomsen, Fire Marshall, Truckee Meadows Fire Protection District, spoke in support of the proposed alignment and stated that the Fire District has been looking for an east-west access between the North Valleys for a number of years.

Vern Hotz, President, Lifestyle Homes, thanked Ms. Albright for her efforts regarding this matter and stated that the alignment is important to the entire valley, that Lifestyle Homes is offering to upfront the money and get the project built. Chairman Shaw inquired about the expected completion date of the road, and Mr. Hotz stated that they would like to see it completed within nine months if possible.

There being no one else wishing to speak, Chairman Shaw closed the public hearing.

Based on the findings that:

1. The proposed amendment is in substantial compliance with the policies and action programs of the Comprehensive Plan.
2. The proposed amendment identifies and responds to changed conditions or further studies that have occurred since the plan was adopted by the Washoe County Commission.
3. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.

4. The Washoe County Planning Commission hearing, prior to the adoption of the proposed amendment, has been properly noticed in a newspaper of general circulation in the County as prescribed under NRS 278.210(1).

5. The Planning Commission gave reasoned consideration to information contained within the staff report and information received during the public hearing.

6. The Washoe County Commission gave reasoned consideration to information contained within the documents transmitted to the Washoe County Planning Commission and the Washoe County Commission, and information received during the County Commission public hearing.

On motion by Commissioner Bond, seconded by Commissioner Bradhurst, which motion duly carried, Chairman Shaw ordered that Comprehensive Plan Amendment Case No. CPA94-SS-1 be approved.

95-463 COMPREHENSIVE PLAN AMENDMENT CASE NO. CPA95-SV-1 (VIRGINIA HUONG) - SOUTH VALLEYS AREA PLAN ADMINISTRATIVE CHANGES - COMPREHENSIVE PLANNING

7:00 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on June 2, 1995 to consider the Washoe County Planning Commission recommendation to amend the South Valleys Area Plan, being a part of the Washoe County Comprehensive Plan, for two areas in the South Valleys Planning Area. The first change is for a portion of Assessor's Parcel No. (APN) 046-080-040 in Washoe City. The adopted land use designation for the portion of the parcel is General Commercial and the proposed land use designation is General Rural (1 dwelling unit per 40 acres). This parcel is located in a portion of Section 23, T17N, R19E, MDM Washoe County, Nevada. The second area is located south of Franktown Road in Washoe Valley. The request pertains to a portion of APNs 055-210-03, 04, 05, 06, 07, 08, 09, 10, 11, 12, and 15. The adopted land use designation is General Rural (1 dwelling unit per 40 acres) and the proposed land use designation is Medium Density Rural (1 dwelling unit per 5 acres). The parcels are located in a portion of Section 22, T16N, R19E, MDM, Washoe County, Nevada. Proof was made that due and legal notice had been given.

Dean Diederich, Department of Comprehensive Planning, reviewed background information and conducted a viewfoil presentation of the two amendment requests relative to administrative changes. He advised that the Planning Commission recommended approval of the administrative changes as proposed by staff and denial of the applicant's request to redesignate APN 017-320-15 from General Rural (GR: 1 dwelling unit per 40 acres) to General Commercial (GC); and that no appeal of the denial was filed. He stated that, pursuant to Nevada statute, administrative changes can be processed along with an existing comprehensive plan amendment.

Chairman Shaw opened the public hearing and called on those wishing to speak. There being no response, the public hearing was closed.

Based on the findings that:

1. The applicant's proposed amendment to the South Valleys Area Plan (APN 017-320-15) is not in substantial compliance with the policies and action programs of the Comprehensive Plan. The applicant's proposal does not recognize the existence of Steamboat Creek on the property. The administrative changes supported by staff are in compliance.
2. The applicant's proposed amendment (APN 017-320-15) will adversely affect the implementation of the policies and action programs of the Conservation Element of the Washoe County Comprehensive Plan. The administrative changes supported by staff will not adversely impact the policies and action programs.
3. The applicant's proposed amendment to the South Valleys Area Plan (APN 017-320-15) will not promote the desired pattern for the orderly physical growth of the County and does not guide development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services. The intent of the South Valleys Area Plan is to encourage new commercial development only in New Washoe City and Washoe City. The Washoe County Comprehensive Plan does not encourage strip commercial development. The administrative changes supported by staff are in

compliance.

4. The applicant's proposed amendment to the South Valleys Area Plan (APN 017-320-15) does not respond to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the request does not represent a more desirable utilization of land.

5. The Washoe County Planning Commission public hearing, prior to the adoption of the proposed amendment to the South Valleys Area Plan has been properly noticed in a newspaper of general circulation in the County as prescribed under NRS 278.210(1).

6. The Washoe County Planning Commission gave reasoned consideration to information contained within the staff report and information received during the public hearing.

7. The Washoe County Commission gave reasoned consideration to information contained within the reports transmitted to the Washoe County Planning Commission and the Washoe County Commission, and information received during the public hearings.

On motion by Commissioner Sims, seconded by Commissioner Mouliot, which motion duly carried, Chairman Shaw ordered that the administrative changes requested by staff relative to Comprehensive Plan Amendment Case No. CPA95-SV-1 be approved.

95-464 RESOLUTION AND AGREEMENT - SKYFIRE, INC.

Upon recommendation of Madelyn Shipman, Assistant District Attorney, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Shaw be authorized to execute:

RESOLUTION-GRANTING A MONETARY GIFT TO RENO, SPARKS, WASHOE COUNTY SKYFIRE, INC.

WHEREAS, a fireworks display (Skyfire) has been a traditional July 4th activity within the Truckee Meadows; and

WHEREAS, no individual sponsor was available to finance the July 4, 1995 Skyfire activity; and

WHEREAS, concerned citizens have formed Reno, Sparks, Washoe County Skyfire, Inc. (hereinafter "RSWC Skyfire Inc.") for the purpose of sponsoring the 1995 Skyfire display and future displays; and

WHEREAS, RSWC Skyfire, Inc. has applied for non-profit status as a 501 (c) (3) corporation; and

WHEREAS, RSWC Skyfire, Inc. has requested assistance from Washoe County for 1995 in the amount of \$10,000 of which amount \$1,500 is to be the provision of in-kind public safety services; and

WHEREAS, RSWC Skyfire, Inc. believes and has represented to the Washoe County Commission that cash contributions will be unnecessary for future year's displays;

NOW, THEREFORE, BE IT RESOLVED that the Washoe County Commission desires to see a continuation of the traditional Truckee Meadows fireworks display; and

BE IT FURTHER RESOLVED that a grant of \$8,500 plus in-kind public safety services be provided RSWC Skyfire, Inc. for the 1995 fireworks display;

BE IT FURTHER RESOLVED that the Washoe County Commission is open to future requests for in-kind public safety services from RSWC Skyfire, Inc. in support of future fireworks displays.

\* \* \* \* \*

It was further ordered that the Agreement between Washoe County and Reno/Sparks/Washoe County Skyfire, Inc. concerning conditions and areas of responsibility relating to production of Skyfire on the Fourth of July, 1995 to 1998 be approved and Chairman Shaw be authorized to execute.

95-465 AGREEMENT - SKYFIRE, INC. - RANCHO SAN RAFAEL PARK FOR 1995

Upon recommendation of Gene Sullivan, Director, Parks and Recreation, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the Agreement between Washoe County and Reno/Sparks/Washoe County Skyfire, Inc., concerning the annual Fourth of July Festival at Rancho San Rafael Park for 1995 be approved and Chairman Shaw be authorized to execute.

95-466 TRAVEL

On motion by Commissioner Bond, seconded by Commissioner Sims, which motion duly carried, Chairman Shaw ordered that the following travel requests and advancement of travel funds be approved:

Name	Department	Destination	Date	Amount
J. Angell	Sheriff	Las Vegas, NV	6/26/95 - 6/29/95	\$ 740.00
J. Barbaria	General Services	Jacksonville, FL	7/18/95 - 7/21/95	\$1,564.00
W. Carlos,	Cooperative Extension	Saskatoon, Saskatchewan,	7/22/95 - 7/26/95	\$ 899.26
R. Post	Cooperative Extension	Canada	7/22/95 - 7/26/95	\$ 899.26
K. Carmel	Health	Sacramento, CA	6/25/95 - 6/30/95	\$ 700.00
S. Chvilicek	Cooperative Extension	Lexington, KY	6/20/95 - 6/23/95	\$ 940.00
R. Gammick	District Attorney	Las Vegas, NV	7/16/95 - 7/20/95	\$ 969.99
L. McDowell	Sheriff	Las Vegas, NV	6/26/95 - 6/29/95	\$ 844.00
M. McMahon	Manager	Indianapolis, IN	6/25/95 - 6/28/95	\$ 946.50
D. McNinch	Health	Madison, WI	7/09/95 - 7/15/95	\$2,200.00
D. Miner	Sheriff	Phoenix, AZ	6/28/95 - 7/01/95	\$ 397.42
D. Nijmeh	Health	Seattle, WA	6/18/95 - 6/23/95	\$ 850.40
R. Post	Cooperative Extension	Pasadena, CA	6/27/95 - 6/28/95	\$ 238.00
R. Whomes	District Attorney	Chicago, IL	7/09/95 - 7/17/95	\$1,256.64

## 95-467 CONSIDERATION OF ANONYMOUS LETTER REGARDING OPERATIONS OF THE PUBLIC ADMINISTRATOR'S OFFICE

John MacIntyre, County Manager, provided background information regarding this item and advised that the Board has been provided a copy of NRS 253.091, which is the statute relative to this issue; that the Board would need to determine whether the anonymous letter regarding operations of the Public Administrators Office constitutes a complaint; that, pursuant to Board policy, County staff was obligated to pursue the allegations relative to sexual harassment and while there may be some question about inappropriate use of language, there were no findings that substantiate the claim.

Howard Reynolds, Assistant County Manager, responded to further questions of the Board.

Madelyn Shipman, Legal Counsel, reviewed the various categories of allegations contained in the anonymous letter and stated that the District Attorney's office recommends that, if the Board moves forward on this issue, the allegations be separated into categories and referred to the appropriate agency, such as employment issues to the Personnel Division, etc.

Commissioner Bond stated that she feels if one allegation has already been addressed, all allegations should be looked into; and that she would like to focus on the auditing issues raised to determine if statutory procedures are being followed. Mr. MacIntyre advised that an internal audit is currently being conducted in the Public Administrators, pursuant to a program currently in process to streamline procedures in various County Departments; and that Finance staff has advised that additional auditing procedures to address auditing issues set forth in the anonymous letter would cost approximately \$2,000 to \$2,500.

Commissioner Sims asked if an anonymous letter constitutes a complaint.

Legal Counsel Shipman advised that, to her knowledge, there is no definition in the statute or elsewhere as to what actually constitutes a complaint; that most people do not wish to give credence to an unsigned letter, but the Board would need to look at the specificity of the complaint itself and whether it lends creditability, and determine if there is any liability exposure.

Commissioner Bradhurst suggested that a performance audit of the Public Administrator's office should address the various allegations, noting that performance audits are being conducted for various County departments and the Public Administrator's office could be moved forward on the list.

Following further discussion, the Board determined that the allegations warrant some investigation to insure that proper statutory procedures are being followed by the Public Administrators Office.

On motion by Commissioner Bond, seconded by Commissioner Bradhurst, which motion duly carried, Chairman Shaw ordered that a performance audit be conducted as soon as possible for the Public

Administrators Office, and a report of findings be presented to the Board; that Barnard, Vogler Co., who is currently conducting an internal audit for the Public Administrators Office, or some other outside auditing firm, conduct further auditing investigation relative to the allegations, with the additional cost not to exceed \$2,500; and that staff be directed to send a letter to Laurence Peter Digesti, Attorney representing the Public Administrator, regarding the Board's decision.

Legal Counsel Shipman advised that the performance audit may not address all the issues brought forth in the anonymous letter. Commissioner Bradhurst stated that he would hope that the internal audit, the investigation by the Personnel Department, and the performance audit would sufficiently address the issues brought forth and if this does not prove to be sufficient, the Board should be so advised.

Upon recommendation of Brian Mirch, Finance Division, on motion by Commissioner Mouliot, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that the early hiring of a Legal Secretary position in the Public Defender's Office, which was approved as part of the 1995-96 budget, be approved.

It was noted that the Public Defender needs to fill this position on June 15, 1995 in order to be prepared for the new Drug Court cases which will begin in July, 1995; and that the Public Defender's Office will absorb the cost in their 1994-95 appropriations.

95-469 LEAVE WITHOUT PAY - JAMIE ABRAMS - HEALTH

Upon recommendation of Dave Rice, District Health Officer, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Shaw ordered that a leave without pay for Jamie Abrams, a Part-time Community Health Aide in the Daybreak Program, from May 2, 1995 to September 8, 1995, be granted.

95-470 REQUEST TO RESCIND JULY 26, 1994 BOARD OF COUNTY COMMISSIONERS' ACTION - SPARKS CONSTABLE

John MacIntyre, County Manager, reviewed background information and advised that the Board has been provided a copy of the verbatim minutes relative to minute item 94-653 which the Sparks Constable has requested be rescinded by the Board.

Commissioner Bradhurst reviewed the transcript and stated that he feels the action was clear and that Finance Division's recommendation No. 3 was approved as recommended with the only exception being that the Verdi, Wadsworth, and Gerlach Constable salaries were to remain the same and not be increased. Commissioner Shaw concurred.

Judi Bailey, County Clerk, advised that when recommendations with attachments are approved by the Board, they are not usually spelled out in the minutes unless requested to do so by the Board.

Commissioner Shaw noted that no representatives from the Constable's office were present to address the Board.

Bob Jasper, Assistant County Manager, Finance, reviewed financial issues relative to the Constables Office and the July 26, 1994 debate and discussion regarding the Finance Division's recommendations and the Board's action. He stated that recommendation No. 3 provided that once the Constable's net income reached \$55,000, their net earnings would be split with the County.

Legal Counsel Shipman advised that, by statute, the Board sets Constable salaries once every four years prior to election; and that the Board can clarify their action, but does not have the authority to rescind or change the action taken in July, 1994.

Commissioner Bradhurst further discussed the transcript and stated that he is comfortable that the only changes made to recommendation No. 3 were very clear and nothing was said about any changes to the recommendation relative to the Reno and Sparks Constables. He requested that the Sparks Constable be provided a copy of the verbatim transcript of the motion of July 26, 1994 with all attachments and other documentation presented to the Board relative to this issue.

On motion by Commissioner Bond, seconded by Commissioner Bradhurst, which motion duly carried, it was ordered that the request of John Langon, Sparks Constable, to rescind the July 26, 1994 Board of County Commissioners' action [minute item number 94-653] be denied. It was further ordered that the Sparks Constable be provided information regarding the Board minutes and related material.

95-471 LEGISLATIVE UPDATE

Sam McMullen, Lobbyist, reviewed and discussed issues relative to SB489, water planning and management legislation, currently before the legislature.

95-472 DISINTERMENT OF HUMAN REMAINS - ERNA B. ROBINSON - HEALTH

Upon recommendation of Dave Rice, District Health Officer, on motion by Commissioner Mouliot, seconded by Commissioner Bradhurst,

which motion duly carried, Chairman Shaw ordered that the request for the Disinterment of human remains for Harold Robinson to remove the remains of Erna B. Robinson be approved.

#### 95-473 PETITION CONCERNING WADSWORTH'S RED WALK BRIDGE - PUBLIC WORKS

On motion by Commissioner Bradhurst, seconded by Commissioner Mouliot, which motion duly carried, Chairman Shaw ordered that the petition concerning Wadsworth's Red Walk Bridge be accepted. It was further ordered that the petition be referred to the Public Works Department for their review and report.

#### 95-474 APPOINTMENTS - INCLINE VILLAGE/CRYSTAL BAY CITIZEN ADVISORY BOARD

Upon recommendation of Leslie Roylance, Department of Comprehensive Planning, on motion by Commissioner Bradhurst, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that the Robert Brost, Susan Haase, and Norman Rosenberg be appointed to a second term on the Incline Village/Crystal Bay Citizen Advisory Board, with terms to expire June 30, 1997.

It was further ordered that the appointment of an individual to fill an unexpired term as an At-Large representative on the Incline Village/Crystal Bay Advisory Board be continued to provide the opportunity for Commissioner Bradhurst to speak to all the applicants.

#### 95-475 SOUTHWEST TRUCKEE MEADOWS ROAD AND TRAFFIC ISSUES - COMPREHENSIVE PLANNING

John MacIntyre, County Manager, advised that additional information from Dean Diederich, Comprehensive Planning, dated June 13, 1995 concerning the recommendation of the Planning Commission to form a citizen committee to address Southwest Truckee Meadows road and traffic issues has been provided to the Board.

Dean Diederich, Department of Comprehensive Planning, reviewed background information regarding traffic issues relative to the potential extension of Thomas Creek Road and other Southwest Truckee Meadows road and traffic issues.

Commissioner Sims stated that discussions with residents of the area have indicated that they are uninformed of the regional transportation master plan for the area and that he would hope that in looking at local traffic improvements the residents would have an understanding of what is included in the master plan for their area. He further stated that Greg Krause, Planning Manager, Regional Transportation Commission, has indicated that he believes there is enough data in place to extrapolate information to formulate a study of these issues rather than spend taxpayer dollars; that he has also been advised that Jeff Codega may be willing to perform such a study at no charge; and that staff should pursue these options. He further commented that the Public Works staff is in the process of conducting a traffic analysis relative to impacts to the school on Edmands Drive and that this is an issue that needs to be resolved quickly.

A discussion commenced regarding the formation of one or two committees and Commissioner Bradhurst suggested that one committee be formed, which would consist of approximately 9 people representing each street in the area.

Following further discussion, on motion by Commissioner Sims, seconded by Commissioner Bradhurst, which motion duly carried, Chairman Shaw ordered that the recommendation of the Planning Commission to form local neighborhood committee(s) to review traffic improvements in neighborhoods along Thomas Creek Road and the vicinity of Edmands and Broili Drives be approved; that staff be directed to organize the committee(s) and contact specific individuals who may be interested in serving; that Bob Webb, Community Coordinator, serve as facilitator for the committee(s), and Dave Price, County Engineer, provide technical support; and that the committee(s) be limited to 7 or 9 individuals.

It was further ordered that staff utilize existing data from RTC and other appropriate sources for a transportation study in the Southwest Truckee Meadows, with a report to be presented to the Board within six months; and that traffic safety issues related to the school district be completed by the time school starts in the Fall.

This item was continued from the May 23, 1995 meeting [Item No. 95-425]. Pursuant to District Attorney Opinion No. 6285, on motion by Commissioner Bradhurst, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the request of Regional Emergency Medical Services Authority for the refund of personal property taxes in the amount of \$13,095.79 pertaining to I.D. No. 2/167-011 for the 1993-1994 tax year be denied.

95-477 REFUND OF TAXES - MICHAEL W. ABDALLA, TR. (APN 122-530-21) - FISCAL YEAR 1994-95

Pursuant to District Attorney Opinion 6294, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the request of Michael W. Abdalla, Tr. for refund of real property tax penalty in the amount of \$538.38 pertaining to APN 122-530-21, commonly known as 475 Lakeshore Boulevard, Unit 21, Incline Village, for the 1994-1995 tax year be denied.

95-478 REFUND OF TAXES - EARL AND ISABEL M. CRAIN (APN 040-660-01) - FISCAL YEAR 1994-1995

This item was continued from the May 23, 1995 meeting [Item No. 95-427]. Commissioner Bradhurst commented that it appears extenuating circumstances exist regarding this issue due to the age and health of Mr. and Mrs. Crain and the subsequent death of Mr. Crain. He stated that further information from the niece who is currently taking care of Mrs. Crain's financial affairs, regarding how other bills were handled after Mr. Crain's death, would be helpful in making a final decision.

Following further discussion, on motion by Commissioner Bradhurst, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that this item be continued and that additional information be obtained concerning this matter.

95-479 REFUND OF TAXES - GARY AND VIRGINIA DEKAT (APN 055-210-05) - FISCAL YEAR 1994-95

Pursuant to District Attorney Opinion 6296, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the request of Gary and Virginia DeKat for refund of real property tax penalty in the amount of \$561.11 pertaining to APN 155-210-05, for the 1994-1995 tax year be denied.

95-480 OFFER OF DEDICATION OF OPEN SPACE - LEWIS HOMES - GALENA TERRACE SUBDIVISION - PARKS

This item was continued from the May 23, 1995 meeting [Item No. 95-410].

Don Young, Department of Development Review, reviewed the staff reports and advised that the recommendation before the Board is the result of quite lengthy negotiations; that concerns regarding the abandoned gravel pit, maintenance of the fire break between the subdivision and the open space, and maintenance of the drainage ways have been resolved. He advised that acceptance of the offer of dedication for the open space would provide that the firebreak would be installed by the developer and maintained by the homeowners and would be located on the interior side of the homeowners fence; that the Nevada Division of Forestry would be responsible for insuring that the appropriate maintenance is performed; that Lewis Homes has agreed to provide the signage and fencing for the pit entrance area and to rip up the first 100 feet of the access road outside the boundary of the subdivision; and that the cost to the County could potentially be \$13,000 for revegetation of the pit and \$1440 per year if litter pickup and trail maintenance were performed by maintenance crews. He further stated that the benefit to the County would be that access to the Forest Service land would be assured and a controlled trailhead would be established; and that the Park Commission reviewed this issue on May 16, 1995 and noted the opportunity for future trails for area residents and the Galena High School athletic program.

Arnie Hamala, Lewis Homes, provided maps depicting the subdivision and open space parcels. He reviewed various issues and responded to questions of the Board, advising that it is their intent to provide non-vehicular access at the trailhead and not allow motorized vehicles on the hillside and open space lands.

Commissioner Shaw asked if property owners would be advised about the open space and that there may be extra traffic as people

utilize the area.

Mr. Hamala advised that disclosure will be made to the property owners and this will commence as soon as the dedication for the open space is accepted.

Commissioner Bond expressed concerns relative to accessibility and parking.

Commissioner Sims asked if this proposal fits into the plans of the Parks Department to provide trails. Mr. Young advised that Karen Mullens of the Parks Department has indicated that this does satisfy what they consider to be an appropriate part of the trail system. Commissioner Bradhurst stated that there have been problems with trails in the past and noted that one of the parcels is rather narrow and that property owners might be unhappy seeing people walk by them. Mr. Hamala advised that that area is not significant and if it is an issue, it could be eliminated as a trail.

Further discussion was held on the issues of revegetation of the pit, parking and access. Mr. Hamala commented that the plan for access off the school parking lot is preliminary but the objective is to provide access to the school from the subdivision. Commissioner Sims commented that would address the issue of parking for trail users.

Following further discussion, on motion by Commissioner Sims, seconded by Commissioner Mouliot, which motion duly carried, Chairman Shaw ordered that the offer of dedication of the open space from Lewis Homes, including the abandoned gravel pit, be accepted, subject to: (1) approval by the Washoe County School District or Lewis Homes to install parking to allow public access through the tot lot and into the large trail, (2) removal of the small trail on the far west side because of its proximity to homes, and (3) written disclosure of public access to the trails and public openspace to affected homeowners.

#### COMMISSIONER COMMENTS

Commissioner Bradhurst commented that the National Association of Counties meeting will be held July 25, 1995 and suggested that the Board consider not having a meeting that date so that Board members that wish to attend may do so.

Commissioner Sims advised that he testified for the Government Affairs legislation in Carson City and it was discussed that the contemplated changes that the Board will be looking into do not require state law and can be done through County Ordinances; and that he feels the Bill will be pulled.

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There being no further business to come before the Board, the meeting adjourned at 11:10 p.m.

JAMES M. SHAW, Chairman  
Washoe County Commission

ATTEST: JUDI BAILEY, County Clerk